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3 in Bomber Sale Want CIA Called

BUFFALO (UPI)—A federal judge was to rule today on a defense motion to subpoena ranking CIA officials in the trial of three men accused of trying to export B26 bombers to Portuguese African colonies.

Judge John O. Henderson Tuesday ordered attorneys on both sides to submit their positions in writing.

Attorney Edwin Marger, representing defendant John R. Hawke, sought to subpoena 11 witnesses, including CIA Director Richard Helm or one of his subordinates, at government expense.

Marger said Hawke is indigent.

Hawke has claimed the project was approved by the CIA and the State Department.

Hawke, 28, Henri de Montmarin, 58, and Woodrow W. Roderick, 47, are charged with four counts of conspiring to ferry the planes through the Rochester-Monroe County Airport in the summer of 1965 to Canada and to Portugal for eventual use in the Portuguese colonies of Mozambique and Angola.

"We understand national security may be involved here and we do not wish to jeopardize national security," Marger told the judge.

He argued that the appearance of a CIA representative and of Richard Bissell, a former CIA deputy director, "is the crux of our case."

He said B26 aircraft were used by the CIA in Cuba, Guatemala, Honduras and Niagaragua and he maintained "It is the CIA policy to help in the export of B26 bombers without export licenses."

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U.S. Atty. John T. Curtin objected to the motion seeking the issuance of the subpoenas.

During Tuesday's testimony, Dallas M. Coors, an assistant vice president of the Southern Bank & Trust Co. of Tucson, Ariz., detailed the arrangements made through his bank for establishing a \$694,550.50 letter of credit from Luber, S. A., of Geneva Switzerland, to Aero Associates, of Tucson.

Gregory R. Board, 45, of Tucson, a principal in Aero Associates, was also indicted in the case but is reported to have fled the country.

Coors said between April 23 and Aug. 9, 1965, his bank paid a total of \$996,010 to Aero Associates for the delivery of seven B26s and spare parts.